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March 22, 2024

By Electronic Filing

Mitchell S. Goldberg
Chief Judge, District Court Judge
17614 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: 2:24-cv-01034-MSG
FAKHREDDINE et al v. THE UNIVERSITY OF PENNSYLVANIA

To The Honorable Chief Judge Mitchell S. Goldberg:

We represent the plaintiffs in the above referenced matter.

Since both Fakhreddine and Yakoby very largely turn on the question of whether the Court may adopt the IHRA standards for anti-Semitism, we respectfully suggest that this Court consider a bench trial on this issue (including the First Amendment issues we raised), using its FRCP Rule 42(b) discretion to bifurcate the issues common to both cases. Doing so would potentially save the Court and the parties significant time and expense, at the ensuing trial on liability, and might also position the cases better for summary judgment motions, Barr Labs., Inc. v Abbott Labs., 978 F2d 98, 115 (3d Cir 1992) (bifurcation was “beneficial...by excluding the presentation of lengthy evidence, some portion of which would inevitably become irrelevant upon definition of the relevant market”).

We stand ready to brief this via a formal motion if appropriate.

Respectfully,


Shahily Negron, Esq.

/s/ Jonathan Wallace, Esq.

Jonathan Wallace, Esq.
Co-Counsel, Admitted Pro Hac Vice